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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BOARD OF TRUSTEES OF THE
LABORERS HEALTH AND WELFARE
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS VACATION-HOLIDAY
TRUST FUND FOR NORTHERN
CALIFORNIA; BOARD OF TRUSTEES OF
THE LABORERS PENSION TRUST FUND
FOR NORTHERN CALIFORNIA; and
BOARD OF TRUSTEES OF THE
LABORERS TRAINING AND RETRAINING
TRUST FUND FOR NORTHERN
CALIFORNIA,

Plaintiffs,

vs.

FLAGSHIP FACILITY SERVICES, INC., a
California corporation; and DAVID MICHAEL
PASEK, an individual,

Defendants.

Case No.: 5:14-cv-00706-BLF

**CASE MANAGEMENT CONFERENCE
STATEMENT; PROPOSED ORDER
THEREON**

Date: July 31, 2014

Time: 1:30 PM

Ctroom: 3, 5th Floor

San Jose Courthouse

Before: Hon. Beth Labson Freeman

Plaintiffs file this abbreviated case management conference.

On February 14, 2014, Plaintiffs Laborers Trust Funds filed their Complaint for Breach of Collective Bargaining Agreement And for a Mandatory Injunction ("Complaint"). The Complaint seeks an Order requiring defendant Flagship Facility Services, Inc. to submit to an

1 audit of its books and records. On February 14, 2014, this matter was assigned to the Hon.
2 Edward M. Chen. On April 17, 2014, this matter was re-assigned to this Court.

3 At the request of Defendants, Defendants were not served with the Complaint because
4 they wanted an opportunity to attempt to work out the dispute regarding the scope of the audit.
5 Counsel for defendants appeared in order to participate in the original Stipulation to continue
6 the prior case management conference to allow the parties to attempt to work out the dispute
7 regarding the scope of the audit. The parties successfully worked out the dispute regarding the
8 scope of the audit. The audit was recently completed.


9 The result of the audit has been communicated to Defendants and the parties are
10 attempting to resolve any issues regarding the audit results. If the parties are unable to resolve
11 the dispute and reach a settlement within the next thirty (30) days, Plaintiffs Laborers Trust
12 Funds will file and serve Defendants with a First Amended Complaint.

13 Based on the above, Plaintiffs Laborers Trust Funds respectfully request that this Court
14 continue the case management conference for a period of forty five (45) days.

15 DATED: July 22, 2014

16 BULLIVANT HOUSER BAILEY PC

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18 By



19 Ronald L. Richman
Susan J. Olson

20 Attorneys for Plaintiffs
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ORDER

Pursuant to request by Plaintiffs Laborers Trust Funds to continue the case management conference and good cause appearing:

IT IS HEREBY ORDERED that the case management conference is hereby re-set to October 2, 2014, 1:30 p.m., Courtroom 3, 5th Floor, San Jose Division. A case management statement shall be filed seven days prior to the case management conference.

DATED: July 24, 2014

By Beth Labson Freeman
HON. BETH LABSON FREEMAN
UNITED STATES DISTRICT JUDGE

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